

**REMARKS**

**STATUS OF THE CLAIMS**

Claims 1-14 are pending in the application.

Claim 13 is allowed.

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 14 is also objected to under 37 CFR 1.75 as being a substantial duplicate of claim 13. Claim 14 is cancelled without disclaimer or prejudice.

Claims 1, 3, 4, 9, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruiz et al. (U.S. Patent No. 6,195,776 B1).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruiz et al. (U.S. Patent No. 6,195,776 B1) and further in view of Sheldon B. Akers (Binary Decision Diagram, IEEE, June 1978).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruiz et al. (U.S. Patent No. 6,195,776 B1) and further in view of Applicant's Admitted Prior Art (AAPA) as disclosed (20040073859 A1).

Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruiz et al. (U.S. Patent No. 6,195,776 B1) as applied to claim 1.

Claims 1, 9, 10, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angilivelil (U.S. Publication 20040025123 A), Crouch et al. (U.S. Patent 5,592,493), and further in view of Kapur et al. (U.S. Patent No. 6,385,750 B1).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Angilivelil (U.S. Publication 20040025123 A), Crouch et al. (U.S. Patent 5,592,493), and further in view of Kapur et al. (U.S. Patent No. 6,385,750 B1), and further in view of Applicant's Admitted Prior Art (AAPA) as disclosed (20040073859 A1).

The claims are amended and cancelled without disclaimer or prejudice, and, thus, the pending claims remain for reconsideration, which is requested. No new matter is added.

35 USC 112, 2<sup>ND</sup> PARAGRAPH, REJECTION:

The indefiniteness rejection of dependent claims 5 and 6 are maintained. Claim 5 is cancelled without disclaimer or prejudice, and claim 6 is amended to recite "wherein the second generating unit generates a plurality of input/output sequences based on the validation items." This amendment is supported, for example, by page 29, lines 21-23 of the specification. The embodiments provide a benefit that plural input/output items are generated when plural validation items are extracted, since one input/output sequence can be generated from each validation item, such as validation items nos. 1-5, as shown in Figs. 24 and 28.

Withdrawal of the indefiniteness rejection is requested.

#### 35 USC 102 AND 103 REJECTIONS

Independent claims have been 1, 11, 12, 13, and 14. Independent claims 12 and 14 are cancelled without disclaimer or prejudice. Independent claim 13 is allowed. And independent claims 1 and 11 are amended to require another patentably distinguishing feature similar to allowed independent claim 13, namely "a second generating unit that generates the input/output sequence based on a combination of the validation item and a cost associated with the validation item," thus placing the application in condition for allowance. Allowance of the claims is requested.

#### CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,  
STAAS & HALSEY LLP

/Mehdi D. Sheikerz/

Date: \_\_\_\_\_ October 23, 2008 \_\_\_\_\_

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